



*Amend D/#13*  
PATENT  
Docket No. 204372000901 *4.8.03*

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

Hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on March 26, 2003.

*Ruth Saskowski*  
Ruth Saskowski

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Lynn E. SPITLER and Isaiah Fidler

Serial No.: 09/764,546

Filing Date: 17 January 2001

For: THERAPEUTIC PROPERTIES OF  
LIPOSOME-ENCAPSULATED  
IMMUNOMODULATORS

Examiner: Susan Ungar, Ph.D.

Group Art Unit: 1642

**RECEIVED**

**APR 03 2003**

**TECH CENTER 1600/2900**

**AMENDMENT UNDER 37 C.F.R. § 1.111**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to a paper mailed 26 February 2003, for which an inextensible time to respond was set as 26 March 2003. Please add the following claim:

*DI* 61. (New) A method to ameliorate a side effect of anti-neoplasia treatment in a subject, wherein said side effect is mucositis, which subject has been treated with an anti-neoplasia agent, which method comprises administering to said subject a pharmaceutical composition comprising muramyl tripeptide phosphatidyl ethanolamine (MTP-PE) encapsulated in multilamellar liposomes.

# AMENDMENT TRANSMITTAL LETTER

Docket No.  
204372000901

Application No.  
09/764,546

Filing Date  
January 17, 2001

Examiner  
Not Yet Assigned

Art Unit  
N/A

Applicant(s): Lynn E. Spitler, et al.

Invention: THERAPEUTIC PROPERTIES OF LIPSOME-ENCAPSULATED IMMUNOMODULATORS

TO THE COMMISSIONER FOR PATENTS

RECEIVED

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

APR 03 2003

CLAIMS AS AMENDED					Rate	TECH CENTER 1600/2900
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present			
Total Claims	2	- 20 =		x		
Independent Claims	2	- 3 =		x		
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						
Other fee (please specify):						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00	

- ☐ Large Entity ☒ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 03-1952  
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Kate H. Murashige  
Kate H. Murashige  
Attorney Reg. No.: 29,959

Dated: March 26, 2003

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San Diego, California 92130  
(858) 720-5112

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: 3/26/03 Signature: [Signature] (Ruth Saskowski)